



COUNTY OF LOS ANGELES

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May 26, 2004

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Agenda No. 10

10/28/03

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012


**Re: CONDITIONAL USE PERMIT NUMBER 03-113-(4)
FOURTH SUPERVISORIAL DISTRICT / THREE-VOTE MATTER**

Dear Supervisors:

Your Board previously conducted a hearing regarding the above-referenced permit which proposes a 75-unit senior citizen apartment complex with a density bonus and concessions for affordable housing on approximately 1.77 acres in the Hacienda Heights Zoned District. At the conclusion of the hearing, you indicated an intent to approve the permit and instructed us to prepare the appropriate findings and conditions for approval. Enclosed are proposed findings and conditions for your consideration.

Very truly yours,

OFFICE OF THE COUNTY COUNSEL

By 
for PETER J. GUTIERREZ
Senior Deputy County Counsel
Public Works Division

APPROVED AND RELEASED:


RAYMOND G. FORTNER, JR.
Chief Deputy County Counsel

PJG:gl

Enclosures

**FINDINGS OF THE BOARD OF SUPERVISORS
AND ORDER CONDITIONAL USE PERMIT NO. 03-113-(4)**

1. The Board of Supervisors ("Board") of the County of Los Angeles conducted a duly noticed public hearing on this proposed Conditional Use Permit Case No. 03-113-(4) on October 28, 2003. The Regional Planning Commission ("Commission") of the County of Los Angeles previously conducted its duly noticed public hearing on this proposal on August 27, 2003.
2. The applicant is proposing to construct a 75-unit senior citizen apartment complex which includes a 22-unit density bonus for reserving all of the dwelling units, with the exception of the manager's unit, for low and very low income senior citizens for at least 30 years.
3. A conditional use permit is required to authorize the proposed density bonus and concessions for affordable housing pursuant to Sections 22.20.260 and 22.56.202 of the Los Angeles County Code ("County Code") and to ensure compliance with the requirements of the proposed Development Program Zone pursuant to Sections 22.20.260 and 22.40.040 of the County Code. The applicant is also requesting a modification to the wall and fencing height limitation pursuant to Section 22.48.180 of the County Code.
4. The subject property is located at 15554 Gale Avenue, Hacienda Heights, in the Hacienda Heights Zoned District. The subject property is currently vacant.
5. The rectangular shaped project site is relatively flat and is 1.77 acres in size. Access to the parcel is via Gale Avenue to the north.
6. Zoning on the subject property was R-2-DP (Two Family Residential-Development Program). On October 28, 2003, the Board approved Zone Change Case No. 03-113-(4), which rezoned the project site to R-3-30U-DP (Limited Multiple Residence-30 Unit per Acre-Development Program).
7. Zoning surrounding the subject property consists of City of Industry zoning to the north, A-1-6,000 to the south, and C-2-BE and A-1-6,000 to the east and west. Surrounding land uses include commercial uses to the north and east and single-family residences to the south and west.
8. Apartment houses are permitted in the R-3 zone pursuant to Section 22.20.260 of the County Code and, pursuant to County Code Section 22.40.040, property in a DP zone may be used for any use permitted in the basic zone, subject to the conditions and limitations of a conditional use permit and approved development program contained therein. The proposed project is consistent with the R-3-30U-DP zoning classification.

9. The Board adopted a resolution on October 28, 2003, to amend the subject property's Countywide General Plan land use designation from Urban 4 (U4, Medium-High Density with an allowable density ranging from 12.1 to 22.0 dwelling units per gross acre) to Urban 5 (U5, High Density with an allowable density ranging from 22.1 to 35.0 dwelling units per gross acre). The Urban 5 land use category permits high density residential development characterized by medium and high rise apartments with a density range of 22.1 to 35.0 dwelling units per gross acre.
10. A density of 30 dwelling units per acre (53 dwelling units) is proposed for the subject property before consideration of the requested density bonus. This density is consistent with the density allowed in the Urban 5 land use classification.
11. The Hacienda Heights Community General Plan provides that one of the major housing issues in this community is the lack of a broad variety of housing types and prices. That Plan states that each community is charged with providing housing for all segments of the population including those who do not now live there but who should be given an opportunity to do so.
12. The Countywide General Plan supports the provision of critically needed low and moderate income housing through the development and application of density bonuses and other programs designed to stimulate production of such housing by both public and private sectors. The policies of that Plan encourage private sector participation in the development of a variety of affordable and special needs housing for both rental and home ownership.
13. The proposed senior citizen housing development is consistent with the goals and objectives of the Countywide General Plan and the Hacienda Heights Community General Plan.
14. The applicant's site plan, labeled as "Exhibit A," depicts a 1.77 acre rectangular-shaped parcel developed with a two to three-story, seventy-five unit senior citizen apartment complex with a community room and office area located on the first floor. The site plan depicts fifty-five uncovered parking spaces (52 standard spaces and 3 spaces accessible to disabled persons) and appurtenant landscaping. Access is provided by a 26-foot wide driveway which enters the property from the north on Gale Avenue. The driveway is situated along the west side of the property.

15. The proposed use is subject to the development standards and requirements applicable to the R-3 zone, as set forth in Sections 22.20.260 through 22.20.330 of the County Code, as well as the requirements of the DP zone, pursuant to Sections 22.40.030 through 22.40.080 of the County Code.
16. Pursuant to Section 22.20.300 of the County Code, no building or structure in the R-3 zone shall have a height in excess of 35 feet above grade, except chimneys and rooftop antennae. The applicant is proposing a two-story design element at the front and rear of the complex. The proposed development, including the three-story portion, was designed with a maximum allowable height of 35' -0" above grade which is consistent with the maximum allowable height of the R-3 zone.
17. Section 22.20.310 of the County Code provides that property developed for any residential use in Zone R-3-30U shall not exceed 30 units per net acre. Before applying the requested density bonus, the project consists of 53 units on 1.77 acres, which complies with the maximum density applicable to the property.
18. Section 22.20.320 of the County Code requires a front yard setback of not less than 15 feet, interior side yard setbacks of not less than 5 feet, and rear yard setbacks of not less than 15 feet on properties in the R-3 zone. The applicant's site plan depicts the apartment units set back from the front property line 20 feet, minimum interior side yard setbacks of 10 and 75 feet, and a minimum rear yard setback of 74 feet. The applicant's site plan is in compliance with the setback requirements of the R-3 zone.
19. Sections 22.20.320 and 22.48.160 of the County Code provide that in the R-3 zone, fences and walls within the required 15-foot front yard setback shall not exceed a height of 3'6". The applicant is proposing a six-foot high masonry wall/fence along the south, east, and west property lines and four-foot high wrought iron fencing and a masonry wall along the north property line. Pursuant to Section 22.48.180, the applicant has requested a modification to the 3'6" height limit to allow the proposed 6-foot wall/fence along Gale Avenue. The shape and configuration of the subject property makes it obviously impractical and unreasonable to require compliance with the fence and wall height limitation.
20. Section 22.20.330 of the County Code requires parking to be provided as required by Part 11 of Chapter 22.52 of the County Code. Pursuant to Section 22.52.1210 of Part 11, one-half of a parking space shall be provided for each dwelling unit, subject to the following restrictions:

- a. The parking may be covered or uncovered; if uncovered, the screening requirements of subsection L of Section 22.56.1110 must be followed;
 - b. A deed restriction, covenant, or similar document shall be recorded to assure that the occupancy of the units is restricted to senior citizens or handicapped persons;
 - c. A plot plan shall be submitted to and approved by the Planning Director in accordance with Part 12 of Chapter 22.56; and
 - d. Guest parking shall be provided in the ratio of one parking space for each eight units. These spaces shall be marked as guest spaces.
21. The proposed development, with the attached conditions, will comply with the above parking requirements. A total of 48 parking spaces are required for the proposed development. The applicant's site plan depicts 55 uncovered parking spaces (52 standard spaces and 3 spaces accessible to disabled persons, one of which is van-accessible with a 5-foot load area). The rear parking area will be screened by a six-foot high solid wall that is proposed along the rear property line that meets the screening requirements of subsection L of Section 22.56.1110. As a condition of approval, the applicant will be required to record a deed restriction or similar document to assure that the occupancy of the rental units will be restricted to senior citizens as defined in Title 22 of the County Code (not more than 10 percent of the occupants may be under 62 years of age).
22. The applicant has submitted a development program, consisting of a site plan and progress schedule, which complies with the requirements of Section 22.40.050 of the County Code.
23. As a condition of approval of this grant, the applicant will be required to comply with all applicable development program conditions as set forth in Section 22.40.070 of the County Code.
24. As a condition of approval of this grant, the applicant will be required to comply with all applicable density bonus conditions as set forth in Section 22.56.202 of the County Code.
25. The applicant met with the Hacienda Heights Improvement Association ("Association") to discuss the project and to answer any questions regarding the proposal. Subsequent to that meeting, the Hacienda Heights Improvement Association forwarded correspondences to the

Department of Regional Planning expressing its concerns regarding impacts of the project. The applicant has addressed the Association's concerns through project design and conditions.

26. A community meeting was held by the applicant on July 24, 2003, to address any concerns the surrounding residents might have regarding the proposed development. Five adjacent residents attended the meeting and their concerns regarding drainage and design issues relating to the development were addressed by the applicant. Correspondence was received from thirteen surrounding residents expressing support for the proposed development.
27. The Commission conducted a public hearing on August 27, 2003, and received oral and written testimony regarding the proposed development.
28. Correspondence was received from a nearby resident opposing the project. The resident indicated that the proposed project should be denied because the project density is too high, the proposed use and design is out of character with adjacent uses, and traffic impacts were not addressed.
29. At the public hearing before the Commission, the applicant testified in favor of the project and there was no testimony in opposition to the project. A duly noticed public hearing was held before the Board of Supervisors on October 28, 2003. Opportunity was given for interested persons to address the Board. No opposition testimony was received at the Board hearing.
30. Pursuant to Section 22.56.202 of the County Code, a density bonus may be requested if the development contains five or more dwelling units and at least 50 percent of the dwelling units are provided for qualifying residents or senior citizens as defined in Sections 51.2 and 51.3 of the Civil Code. If the project meets these minimum requirements, a density bonus of at least 25 percent shall be granted. If a project exceeds the minimum requirements, additional bonuses are authorized at a rate of one dwelling unit for each additional senior citizen or qualified resident dwelling unit reserved beyond the minimum required. In no case, however, shall the total density bonus exceed a 50 percent increase over what the general plan would otherwise allow.
31. The applicant is proposing to reserve all of the proposed dwelling units, with the exception of the manager's unit, for low to very low income senior citizens for at least 30 years. The applicant is requesting a 22-unit density bonus for a total of 75 dwelling units. The proposed project qualifies for the requested density bonus of 22 units.

32. Pursuant to Section 22.56.202 of the County Code, the applicant requested case expediting and a waiver of case processing fees as concessions, and submitted financial information, sufficiently demonstrating the need for the concessions requested and the reasons that they are necessary to make the affordable housing units economically feasible.
33. The Board finds that the proposed development will serve as a buffer between the commercial uses to the east and the single-family homes located to the west and south.
34. The proposed development will not adversely impact local traffic conditions. Gale Avenue will provide access to the proposed development. Currently, Gale Avenue is a designated secondary highway with a right-of-way width of approximately 80 feet.
35. The subject property is located within a fully developed urbanized area served by sufficient public services and facilities.
36. There are currently waiting lists at all senior citizens' housing facilities within the Hacienda Heights Zoned District. The proposed development will provide needed affordable housing for senior citizens in the community.
37. The project site is within walking distance to commercial shops and services used by senior citizens, as well as within walking distance to public transportation.
38. The Board finds that the requested development is sensitive to the adjacent residential developments and is compatible with the surrounding land uses.
39. An Initial Study was prepared for this project and circulated for public review in compliance with the California Environmental Quality Act ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines of the County of Los Angeles. The Initial Study showed that there is no substantial evidence that the project may have a significant effect on the environment. Based on the Initial Study, a Negative Declaration has been prepared for the project.
40. The Board finds that the project is not de minimus in its effect on fish and wildlife resources. Therefore, the project is not exempt from California Department of Fish and Game fees pursuant to section 711.4 of the California Fish and Game Code.

41. The Board has reviewed and considered the information contained in the Negative Declaration together with any comments received during the public review process; finds on the basis of the whole record before it that there is no substantial evidence that the project will have a significant effect on the environment; and finds that the Negative Declaration reflects the independent judgment and analysis of the Board.
42. The location of the documents and other materials constituting the record of proceedings upon which the Board's decision is based in this matter is the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be Russell Fricano, Section Head of the Zoning Permits I Section, Los Angeles County Department of Regional Planning.
43. This conditional use permit request was heard concurrently with Local Plan Amendment Case No. 03-113-(4) and Zone Change Case No. 03-113-(4). The Board of Supervisors approved the plan amendment and adopted an ordinance effecting the proposed change of zone on October 28, 2003.

**BASED ON THE FOREGOING, THE BOARD OF SUPERVISORS
CONCLUDES:**

- A. That the proposed use will be consistent with the adopted general plan for the area as amended by Local Plan Amendment Case No. 03-113-(4);
- B. With the attached conditions and restrictions, that the requested use at the proposed location will not adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety, or general welfare;
- C. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping, and other development features prescribed in Title 22 of the County Code, or as is otherwise required in order to integrate said use with the uses in the surrounding area;

- D. That the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required;
- E. That the proposed project at the location proposed has been designed to be compatible with the surrounding area in terms of land use patterns, design, and established community character;
- F. That the proposed project will assist in satisfying affordable housing needs and is viable in terms of continuing availability to meet such housing needs;
- G. That the proposed project will not cause or add to undue concentration of affordable housing units in the surrounding community;
- H. That the proposed project is reasonably proximate to public transit and shopping;
- I. That the requested incentives or concessions are required to make the affordable housing units economically feasible;
- J. That the development program submitted provides necessary safeguards to insure completion of the proposed development by the applicant, forestalling substitution of a lesser type of development contrary to the public convenience, welfare, or development needs of the area; and
- K. That topographic features and other physical limitations make it obviously impractical to require compliance with the requirement that the front yard fencing/wall not exceed a height of three and one-half feet.

THEREFORE, THE BOARD OF SUPERVISORS:

1. Indicates that it has previously adopted the Negative Declaration and certified that it has been completed in compliance with CEQA and the state and county guidelines related thereto.
2. Approved Conditional Use Permit No. 03-113-(4), subject to the attached conditions.

CONDITIONS FOR APPROVAL
CONDITIONAL USE PERMIT NO. 03-113-(4)

1. This grant authorizes the use of the subject property, located at 15554 Gale Avenue, Hacienda Heights, for a 75-unit affordable senior citizen apartment complex, including a 22-unit density bonus, as depicted on the approved Revised Exhibit "A," subject to all of the following conditions of approval.
2. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or other entity making use of this grant.
3. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Department of Regional Planning ("Department") their affidavit stating that they are aware of, and agree to accept, all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 8, and until all required monies have been paid pursuant to Condition Nos. 9 and 10.
4. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of Government Code section 65009 or any other applicable limitation period. The County shall promptly notify the permittee of any claim, action, or proceeding, and the County shall reasonably cooperate in the defense.
5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall, within ten days of the filing, pay the Department an initial deposit of \$5,000, from which actual costs shall be billed and deducted for the purpose of defraying the expenses involved in the Department's cooperation in the defense, including but not limited to depositions, testimony, and other assistance to permittee or permittee's counsel. The permittee shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:
 - a. If during the litigation process actual costs incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation; and
 - b. At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.

The cost for collection and duplication of records and other related documents will be paid by the permittee in accordance with Los Angeles County Code Section 2.170.010.

6. This grant shall expire unless used within two years from the date of approval. A one-year time extension may be requested, in writing with the payment of the applicable fee, at least six months before the expiration date.
7. If any provision of this grant is held or declared to be invalid, the permit shall be void, and the privileges granted hereunder shall lapse.
8. Prior to the use of this grant, the terms and conditions of the grant shall be recorded in the office of the County Recorder. In addition, upon any transfer or lease of the property during the term of this grant, the permittee shall promptly provide a copy of the grant and its terms and conditions to the transferee or lessee, as applicable, of the subject property.
9. Within fifteen days of the approval of this grant, the permittee shall remit a \$25 processing fee payable to the County of Los Angeles in connection with the filing and posting of a Notice of Determination in compliance with section 21152 of the Public Resources Code. The project is not *de minimus* in its effect on fish and wildlife and is not exempt from payment of a fee to the California Department of Fish and Game pursuant to section 711.4 of the Fish and Game Code. The current fee amount is \$1,275.
10. The subject property shall be developed, maintained, and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. Prior to the use of this grant, the permittee shall deposit with the County of Los Angeles the sum of \$3,000. These monies shall be placed in a performance fund which shall be used exclusively to compensate the Department for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval, including adherence to development in accordance with the approved site plan. The fund provides for thirty annual inspections. The inspections shall be unannounced.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any condition of this grant, the permittee shall be financially responsible for and shall reimburse the Department for all additional inspections

and for any enforcement efforts necessary to bring the subject property into compliance. The charge for additional inspections shall be the amount equal to the recovery cost at the time of payment. The current recovery cost is \$150 per inspection.

11. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission or a hearing officer may, after conducting a public hearing, revoke or modify this grant if the Commission or hearing officer finds that these conditions have been violated, or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance.
12. Upon approval of this grant, the permittee shall contact the Fire Prevention Division of the Los Angeles County Fire Department to determine what facilities may be necessary to protect the property from fire hazard. Any necessary facilities shall be provided to the satisfaction of and within the time periods established by said department.
13. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless specifically modified by this grant, as set forth in these conditions or shown on the approved plans.
14. All structures shall comply with the requirements of the Division of Building and Safety of the Los Angeles County Department of Public Works.
15. All structures, walls, and fences open to public view shall remain free of extraneous markings, drawings, or signage. These shall include any of the above that do not directly relate to the use subject to this grant or that do not provide pertinent information about the premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.
16. In the event such extraneous markings occur, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.
17. The subject facility shall be developed and maintained in compliance with requirements of the County of Los Angeles Department of Health Services. Adequate water and sewage disposal facilities shall be provided to the satisfaction of said department.

18. Within sixty days of the approval date of this grant, the permittee shall submit to the Planning Director for review and approval three copies of a Revised Exhibit "A," similar to that presented at the public hearing, which clearly shows:
1) the location and type of all proposed wall and pole mounted lighting, which shall be hooded and directed away from neighboring residences to prevent direct illumination and glare; 2) the location of the five required guest parking spaces; 3) a centrally located stairwell within the apartment complex in addition to the proposed stairwells at the north and south end of the complex; and 4) all development program features required by Section 22.40.050.A of the County Code, including the location of all proposed structures and development features including grading, yards, walls, walks, landscaping, height, bulk, and arrangement of buildings and structures, signs, the color and appearance of buildings and structures, and other features as may be needed to make the development attractive, adequately buffered from adjacent more restrictive uses, and in keeping with the character of the surrounding area. The subject property shall be developed in substantial conformance with the approved Revised Exhibit "A." In the event that subsequent revised plans are submitted, the permittee shall submit three copies of the proposed plans to the Planning Director for review and approval. All revised plans must be accompanied by the written authorization of the property owner.
19. Within sixty days of the approval date of this grant, the permittee shall submit to the Planning Director for review and approval three copies of building elevations which depict the proposed colors and materials with fully dimensioned height from grade. The subject property shall be developed in substantial conformance with the approved elevations. In the event that subsequent revised plans are submitted, the written authorization of the property owner is necessary.
20. The permittee shall develop the subject parcel with a lawn, shrubbery, flowers and/or trees, which shall be continuously maintained in a neat, clean, and healthful condition, including proper pruning, weeding, and removal of litter, fertilizing, and replacement of plants when necessary. Incidental walkways, if needed, may be developed in the landscaped areas. Within sixty days of the approval date of this grant, the permittee shall submit to the Planning Director for review and approval three copies of a landscape plan, which may be incorporated into the Revised Exhibit "A." The landscape plan shall show the size, type, and location of all plants, trees, and watering facilities. Watering facilities shall consist of "bubblers" or a similar water-efficient irrigation system for irrigation in all areas except where there is turf.
21. Pursuant to Chapter 22.72 of the County Code, the permittee or his/her successor in interest shall pay a fee to the Los Angeles County Librarian prior to the issuance of any building permit in the amount required by Chapter 22.72 at the time of payment and provide proof of payment to the Department. The

current fee amount is \$638 per dwelling unit (\$638 x 75 dwelling units = \$47,850). The permittee may contact the County Librarian at (562) 940-8430 regarding payment of fees.

22. Prior to the issuance of any grading or building permit, the permittee shall provide documentation to the Planning Director from the Los Angeles County Sanitation District and the local water purveyor that sewer and water facilities are available to serve the subject property.
23. The following development program conditions shall apply:
 - a. No building or structure of any kind except a temporary structure used only in the developing of the property according to the development program shall be built, erected, or moved onto any part of the property;
 - b. All improvements shall be completed prior to the occupancy of any structures; and
 - c. Where one or more buildings in the projected development are designated as primary buildings, building permits for structures other than those so designated shall not be issued until the foundations have been constructed for such primary building or buildings.
24. The construction, operation, and maintenance of the proposed senior citizen apartment development shall be further subject to all of the following restrictions:
 - a. All trash containers shall be covered and all trash enclosure areas shall be screened from public and private view corridors and located away from the south and west property lines of the subject property;
 - b. All material graded shall be sufficiently watered to prevent excessive amounts of dust during the construction phase. Watering shall occur at least twice daily with complete coverage, preferably in the late morning and after work is done for the day. All clearing, grading, earth moving, or excavation activities shall cease during periods of high winds (i.e., greater than 20 mph averaged over one hour) to prevent excessive amounts of dust. Any materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amounts of dust;
 - c. Project construction activity shall be limited to those hours between 7:00 a.m. and 6:00 p.m., Monday through Friday and 8:00 a.m. and 5:00 p.m., Saturday. All stationary construction noise sources shall be sheltered or enclosed to minimize adverse effects on nearby properties. Generators and pneumatic compressors shall be noise protected in a

manner that will minimize noise inconvenience to adjacent residences. Parking of construction worker vehicles shall be on-site and restricted to areas buffered from the residences located to the south and west of the subject property;

- d. The permittee shall provide and continuously maintain no less than fifty-five on-site standard parking spaces, which may be uncovered (fifty for tenant use and five for guest parking), developed to the specifications listed in Section 22.52.1060 of the County Code;
- e. All rental dwelling units reserved for lower or very low income households shall have an affordable rent as defined in section 50053 of the Health and Safety Code;
- f. Within sixty days of the approval date of this grant, the permittee shall submit for review and approval by County Counsel a deed restriction, covenant, or similar document running with the land for the benefit of the County of Los Angeles, suitable for recordation at the office of the County Recorder, to ensure the continuing availability of the affordable housing units for a period of thirty years and to assure that the occupancy of all units, with the exception of the manager's unit, shall be restricted to low income or very low income senior citizens or qualifying residents, as defined in Title 22 of the County Code (not more than 10 percent of the occupants may be under 62 years of age), for a period of thirty years. The document shall contain remedies for violations of the covenant including, but not limited to, monetary penalties. The approved document shall be recorded prior to the issuance of any building permit;
- g. In the event any units other than the manager's unit are no longer restricted to occupancy by senior citizens, the permittee shall develop the on-site parking spaces needed to bring the use and/or occupancy of the property into conformance with Chapter 22.52 of the County Code;
- h. The maximum height of all buildings and structures is 35 feet above grade, except chimneys and rooftop antennae. The permittee shall post a sign in English and the predominant second language of the community at the apartment building's primary entrance identifying the manager's name and 24-hour contact telephone number to report any concerns related to the subject property;
- i. Adequate lighting shall be provided and maintained in operable condition in all exterior vehicular and pedestrian areas (e.g., driveways, parking areas, yards, stairways) of the subject property to the satisfaction of the Director. All exterior lighting shall be shielded and directed away from

neighboring residences to prevent direct illumination and glare. Any lighting not required for safety purpose in the parking lot shall be turned off no later than 10:00 p.m. The permittee shall submit to the Planning Director for review and approval three copies of a lighting plan, which may be incorporated into the Revised Exhibit "A" described in Condition No. 18. The lighting plan shall show the locations, types, and heights of all proposed pole and wall mounted lighting;

- j. The required parking spaces shall be continuously available for vehicular parking only and shall not be used for storage, vehicle repair, or any other unauthorized uses;
- k. The permittee shall submit a parking management plan to the Planning Director for approval before the approval of the Revised Exhibit "A." Said plan shall clearly identify how the permittee intends to assign parking spaces to the apartment's tenants as well as the parking management practices of the facility;
- l. Prior to installation of any signage, the permittee shall submit to the Planning Director for review and approval three copies of dimensioned signage plans depicting all proposed signs, developed in accordance with Part 10 of Chapter 22.52 of the County Code. To increase safety and security measures for the complex, said signs may be internally or externally lighted to the satisfaction of the Director;
- m. Any gate constructed across a driveway shall be designed to County Fire Department specifications so that the entire width of the driveway is accessible by emergency vehicles;
- n. The permittee shall comply with all recommendations and conditions set forth in the County of Los Angeles Department of Public Works memoranda dated May 29 and June 2, 2003, on file at the Department, except as otherwise modified by said department;
- o. The permittee shall comply with all recommendations and conditions set forth in the County of Los Angeles Fire Department letter dated February 4, 2004, on file at the Department, except as otherwise modified by said department; and
- p. That the permittee shall comply with all recommendations and conditions set forth in the County of Los Angeles Department of Health Services letter dated June 17, 2003, on file at the Department, except as otherwise modified by said department.